

TOWN OF FOX CREEK

Policies & Procedures Manual

“Good Neighbor Fence Policy”

No: P013 - 2003

Policy Title: “Good Neighbor Fence Policy”

SECTION - 1: DEFINITIONS

For the purposes of this Policy;

- a. "Council" shall mean the elected members who comprise Town Council as elected from time to time.
- b. "Employee" shall mean those people employed full-time, part-time, casually, seasonally, on contract, as a volunteer, or elected or appointed, by and for the Town.
- c. "Fence" shall mean a wooden side-yard fence with a maximum height of 6' (six feet), with treated wooden posts located at 8' (eight foot) intervals. Posts shall be joined by two 2" X 4" rails and sixteen 1" X 4" fence boards secured vertically on the rails.
- d. "Policy" shall mean a statement of the Town's intention in certain areas of its responsibility for guidance when action is being taken in those areas. Policies shall be approved by Council.
- e. "Procedures" shall mean instructions on how to carry out the intent of a Town Policy.
- f. "Town" shall mean the municipality of the Town of Fox Creek.

SECTION - 2: PURPOSE

1. The Town has incorporated the development of public walkways within its residential districts. This type of development is supported within the Town's General Municipal Development Plan.
2. This Policy has been established to address the concerns of maintenance, vandalism and replacement of fences that flank the actual pedestrian walkway and separate such walkways from private property.

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SECTION - 3: POLICY STATEMENT

1. The Town has established public utility lots, which are used as walkways in existing subdivisions, and will continue to provide such walkways for the convenience and enjoyment of the residents of Fox Creek.
2. In order to minimize the impact of the use of these utility lots on the adjacent landowners and/or residents, the Town hereby adopts a "Good Neighbor Fence Policy" as is set out herein.

SECTION - 4: POLICY GUIDELINES

1. This Policy is applicable to those walkways identified in RED on the attached map, forming a part of this Policy and referred to as "Schedule A".
2. The Policy is NOT applicable to fences that back onto school-yards, park reserve, or any public reserve within the Town boundaries.
3. Under this Policy, the Town agrees to pay fifty (50%) percent of the costs of material as noted below:

(i) Construction of a new fence:

- a) For Construction of a new side-yard fence, the Town shall pay 50% of the costs of material for each eight foot (8') section required to a maximum cost as noted in Schedule B.

This shall be constructed as follows:

1. 2 quantity of 10' long 4" X 4" treated wooden posts
 2. 16 quantity of 6' long 1" X 4" fence boards
 3. 2 quantity of 8' long 2" X 4" rails
 4. 1.5 lb nails
 5. 2 litres of stain or paint
- b) Where the side-yard fence extends from the house to the front side-yard, the Town shall pay 50% of the costs of material for each 8 foot section required, to a maximum cost as noted in Schedule B.

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(ii) Replacement of section of fence due to vandalism or other damage:

- a) Where a section of fence has been damaged and requires replacement, the Town shall pay up to 50% of the costs of materials a maximum rate as noted in Schedule B per lineal foot, where new posts are not required.
- b) Where new posts are required, a maximum cost will be paid as noted in Schedule B per lineal foot, plus the actual costs of posts.
- c) Where fence replacement is required from the front of the house to the front property line, the Town shall pay a maximum rate as noted in Schedule B per lineal foot of fence, plus the actual cost of replacing any posts.

(iii) The Town shall inspect the fence prior to reimbursement for such costs.

- 4. It is the responsibility of the private property owner to first contact the Town's Development Officer, prior to undertaking any construction or fence replacement. Once approved, the property owner must complete the project, including staining or painting, to the satisfaction of the Development Officer. The property owner must supply the Town with all receipts of actual expenditures for materials. Reimbursement of applicable costs shall be based on actual receipts.
- 5. The Town shall NOT pay for any of the following costs: Labor, gates, gate hardware, cement or other tamping materials, post caps, decorative material such as lattice, and the costs to remove and dispose of old fencing.
- 6. Where it is deemed appropriate, the Development Officer may approve a chain link fence (as a new or replacement fence), and in such instance, the Town shall pay for fifty (50%) of the cost of materials only, to a maximum as noted in Schedule B per lineal foot. Costs shall not include any type of privacy screening added to the chain link fence.
- 7. All fence work must comply with the provisions of the current Land Use Bylaw.
- 8. The Town reserves the right to refuse to implement this Policy, where it is

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deemed that damage to the fence has been caused by the benefiting private property owner or anyone dwelling on such property.

9. Such costs, as agreed to, are subject to the restrictions of the annual operating budget of the Town.

SECTION – 5: GENERAL

1. This policy shall replace any previous Town Policies in relating to the Good Neighbor Fence Policy.
2. Schedules A and B attached to the Policy shall form part of the Policy and may be amended on resolution of Council.

Accepted by Resolution # 202-03 this the 16th day of June, 2003

Bernie Hornby
Mayor

Larry Baran
Town Manager

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SCHEDULE A

MAP AS ATTACHED

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SCHEDULE B

COST-SHARE LIMITS

| | |
|--|------------------------|
| Section 4 (3) (i) (a) Cost-share maximum Construction of a new wooden fence | \$52.50 per 8' section |
| Section 4 (3) (i) (b) Cost-share maximum Construction of new front to side-yard fence | \$26.25 per 8' section |
| Section 4 (3) (ii) (a) Cost-share maximum Replacement of damaged fence | \$5.00 per lineal foot |
| Section 4 (3) (ii) (b) Cost-share maximum Replacement of damaged posts | \$5.00 per lineal foot |
| Section 4 (3) (ii) (c) Cost-share maximum Replacement of front to side-yard fence | \$2.50 per lineal foot |
| Section 4 (6) Cost-share maximum Chain link fence (new or replacement) | \$5.00 per lineal foot |